IN THE HIGH COURT OF JUDICATURE AT PATNA
Cr.Misc. No.25560 of 2007

1. SARYUG PRASAD RAI SON OF RAM AWTAR RAI
2. DINESH RAI SON OF BASHUDEO RAI
3. VIKASH RAI SON OF SARYUG PRASAD RAI

All residents of Mohalla- Goshai Tola P.S.Patliputra, District-Patna

------- ----- **Petitioners.**

- V E R S U S -

1. THE STATE OF BIHAR
2. PREMCHAND YADAV SON OF SRI BHAGWAN YADAV RESIDENT OF VILLAGE –MAKHADUM SARAI P.S. TOWN SIWAN ------ ---- **Opp.Parties.**

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4 23-10-2008 Heard Mr. Naresh Dikshit, the learned counsel for the petitioners as well as Mr. Jharkhandi Upadhaya, the learned A.P.P. for the State and learned counsel for Opp.Party no.2.

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It is jointly submitted by both sides that the accused persons have returned the money that had been advanced by way of consideration money to the informant (Opp.Party no.2 herein)and in view thereof they had entered into a compromise , a copy whereof along with petition for permission to compound has been appended to this application as Annexure-2.

It appears that cognizance has been taken under Sections 419,420 and 406 I.P.C. all of which are compoundable in view of sub section (2) of Section 320 Cr.P.C. at the instance of the person who has been cheated and/or owner of the property in respect of which the breach of trust has been committed.

Since the parties have entered into a compromise, this application is allowed and the entire criminal proceeding arising out of

Siwan Town P.S. Case no.64 of 2004 is hereby quashed as no gainful purpose would be served in keeping the proceeding pending.

(Abhijit Sinha, J)

NKS/-

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